

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO

GREAT NORTHERN INSURANCE	:	
COMPANY, as subrogee of ALLEN L.	:	
PATRICK and JEAN A. PATRICK	:	CIVIL ACTION NO.:
	:	2:11-cv-01153
and	:	
	:	
PACIFIC INDEMNITY INSURANCE	:	
COMPANY, as subrogee of ALLEN L.	:	
PATRICK and JEAN A. PATRICK	:	
	:	
Plaintiffs,	:	
	:	
v.	:	
	:	
BRENTLINGER ENTERPRISES d/b/a	:	
MIDWESTERN AUTO GROUP and	:	
MIDWESTERN BMW	:	
and	:	
	:	
BMW OF NORTH AMERICA, LLC	:	
	:	
and	:	
	:	
BAYERISCHE MOTOREN WERKE AG	:	
	:	
Defendants.	:	

PLAINTIFFS' TRIAL BRIEF

The plaintiffs, by and through counsel, hereby submit the following summary of the legal issues in this matter. The plaintiffs have previously filed Motions and Briefs on each of these issues. Therefore, plaintiffs will not reiterate the same arguments made in those papers. To the extent not decided by the Court prior to trial, the plaintiffs anticipate that the following legal and factual issues may arise during trial:

1. The issues raised by the BMW defendants in their previously denied Motion for Summary Judgment, and plaintiffs' responses thereto;

2. The issues raised by the BMW defendants in their previously denied Motion to Exclude the testimony of Richard Clarke, and plaintiffs' responses thereto;
3. Plaintiffs' Motion for Jury View;
4. Plaintiffs' Motion In Limine to Preclude Evidence that the Patrick's Home was Demolished and Rebuilt;
5. Plaintiffs' Motion In Limine to Preclude Evidence Regarding the Lack of Similar Incidents; and
6. Plaintiffs' Motion In Limine to preclude the testimony of Thomas McCloskey.

Plaintiffs incorporate and identify the Orders and Opinions previously issued by the Court on certain of these legal issues.

Plaintiffs also incorporate each of their Oppositions to the Motions In Limine filed by the BMW defendants.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on this 18th day of June, 2015.

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